

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON,
NEW YORK HELD ON MONDAY MAY 20, 2002 AT 8:00 P.M. VILLAGE HALL, 85 MAIN STREET,
IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor
 Garrard R. Beeney, Trustee
 Peter Derby, Trustee
 Richard J. Livingston, Trustee
 Isabel B. Milano, Trustee
 Donald P. Marra, Deputy Administrator
 Lawrence S. Schopfer, Clerk-Treasurer
 Robert Mascianica, Supt. of Public Works
 Lino J. Sciarretta, Village Attorney's Office

The meeting was called to order by Mayor Flood who led the attendance in the pledge of allegiance to the flag of the United States of America.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. There were no comments from those in attendance.

Trustee Derby made a motion to adopt the minutes of the regular meeting of the Village Board held on May 6, 2002. The motion was seconded by Trustee Beeney and unanimously approved with Trustee Livingston abstaining from the vote.

Trustee Beeney made a motion to appoint F. J. Wilson as a member of the Environmental Conservation Board for a term to expire April 2003. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to appoint Michael Glantz as a member of the Recreation Commission for a term to expire April 2005. Trustee Beeney seconded the motion and it was unanimously approved.

Mayor Flood read communications from Paul Feiner regarding Avalon Green II; Governor George Pataki regarding the revised State Building Code; and Clara Kyim regarding the Village's garbage trucks. A copy of each piece of correspondence is attached hereto as a part of these minutes.

Mayor Flood provided background on the proposed contract with Edward M. Weinstein Planning and Architecture for design services for a kayak/canoe ramp in Scenic Hudson Park in the amount of \$5,000. Trustee Livingston made a motion to approve the contract and authorize Deputy Administrator Donald Marra to execute the contract. Trustee Derby seconded the motion and it was unanimously approved.

Mayor Flood reviewed the Six Year Capital Plan and Budget. After some discussion, Trustee Beeney made a motion to adopt the Six Year Capital Plan and Budget as presented. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Milano made a motion to adopt an amended bond resolution for the Greenburgh-Irvington Joint Water Project as shown on the attached resolution in the revised amount of \$2,600,000. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Derby made a motion to adopt a bond resolution for vehicle acquisition in the amount of \$189,500 as shown on the attached resolution. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Beeney made a motion to adopt a bond resolution for the payment of fees for design services for a basketball court to be construction at Scenic Hudson Park in the amount of \$25,000 as shown on the attached resolution. Trustee Derby seconded the motion and it was unanimously approved.

Trustee Milano made a motion to adopt a bond resolution for the acquisition of certain equipment for the Theater, Department of Public Works, Police Department and Fire Department in the amount of \$61,000 as shown on the attached resolution. Trustee Beeney seconded the motion and it was unanimously approved.

Trustee Derby made a motion to adopt a bond resolution for the acquisition of a sidewalk plow and leaf vacuum, and repairs to sidewalks in the amount of \$77,000 as shown on the attached resolution. Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Milano made a motion to adopt a bond resolution for construction of an addition to the Senior Citizens Center in the amount of \$336,000 as shown on the attached resolution. Trustee Derby seconded the motion and it was unanimously approved.

Trustee Livingston made a motion to adopt a bond resolution for the construction of a mezzanine in the Fire House in the amount of \$25,000 as shown on the attached resolution. Trustee Milano seconded the motion and it was unanimously approved.

Trustee Derby made a motion to adopt a bond resolution for the payment of fees for design services renovations to Village Hall in the amount of \$300,000 as shown on the attached resolution. Trustee Beeney seconded the motion and it was unanimously approved.

The Board considered an application from AT&T Wireless on behalf of Abbott House requesting a waiver from the Telecommunications Towers and Facilities Moratorium of 2002 pursuant to the existing facilities hardship waiver provisions of Section 4. Mayor Flood noted correspondence, a copy of which is attached hereto, from Abbott House regarding the hardship on their organization if the waiver is not granted. Representatives of AT&T Wireless made a presentation. After some discussion, a member of the audience, Jonathan Elwyn, requested that the Board not grant the waiver. Village counsel, Lino Sciarretta discussed the legal issues involving the Telecommunications Act of 1996. After some discussion, Trustee Beeney made a motion to grant a waiver from the provisions of the Telecommunications Towers and Facilities Moratorium of 2002 pursuant to the existing facilities hardship waiver provisions of Section 4. Trustee Milano seconded the motion and it was unanimously approved.

Mayor Flood provided some background on the proposed "Property Tax Relief Act" legislation. After some discussion, Trustee Milano made a motion to adopt the following resolution:

WHEREAS: Towns, villages and school districts in Westchester County are severely restricted in their revenue base, with real property tax as their main source of revenue, and;

WHEREAS: The real property tax has come under continual strain as towns, village and school districts struggle to meet the increased burden of mandates placed upon them and that as a result, a disproportionate burden has been placed on the property owner, and;

WHEREAS: The County Executive has advocated for an increase of one penny in the sales tax rate levied outside of the county's four major cities and has advocated that 25% of the revenues from the additional one penny be shared with Westchester's towns, villages, the cities of Rye and Peekskill and school districts, and;

WHEREAS: The Village understands that further discussions will take place regarding the appropriate percentage of revenue that will be shared with Westchester's towns, villages, the cities of Rye and Peekskill and school districts, and;

NOW THEREFORE BE IT RESOLVED

The Village of Irvington, New York hereby requests that our State representatives in the Senate and Assembly, Speaker of the Assembly Sheldon Silver, Senate Majority Leader Joseph Bruno and Governor George Pataki support legislation known as the Property Tax Relief Act which would authorize the additional one penny for Westchester County, and;

NOW THEREFORE BE IT RESOLVED

That the Mayor and Board of Trustees hereby request that our State representatives in the Senate and Assembly, Speaker Silver and Majority Leader Bruno pass the Property Tax Relief Act during the 2002 Legislative Session and that Governor Pataki sign the Property Tax Relief Act into law, and;

NOW THEREFORE BE IT RESOLVED

That a copy of this resolution be sent to our State representatives in the Senate and Assembly, Assembly Speaker Sheldon Silver, Senate Majority Leader Joseph Bruno and Governor George Pataki.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Derby reported on Water Department activities including hydrant painting and security system installation. He also discussed Fire Department activities including recent training programs, call activity for the year, water rescue training near Scenic Hudson Park, and the launching of the new fireboat by Memorial Day.

Trustee Milano announced the need for a gate attendant at Matthiessen Park, the rescheduling of Nature Day, tryouts for travel teams, and the planned events for the 4th of July. She also reported on the garden program at Nevis and the teen open air program planned for the summer. Trustee Milano discussed the current activities of the Beautification Committee and the last meeting of the Community Advisory Board before the summer.

Trustee Livingston summarized the activity at the recent Architectural Review Board meeting. He also discussed some of the issues facing the Environmental Conservation Board. Trustee Livingston reported on the G.U.A.R.D. committee and recent Theater events.

Trustee Beeney read a letter thanking the Irvington Police Department for their efforts investigating a burglary. He also discussed the D.A.R.E. program and upcoming graduation. Trustee Beeney also reported on the activities of the Land Use Committee.

Trustee Livingston made a motion to adopted the following resolution:

WHEREAS, the Village Board adopted a resolution dated September 18, 2000 approving the transaction to acquire the premises located at 131 Main Street and authorizing Mayor Dennis Flood and Administrator Stephen McCabe to execute all necessary documents relating to the transaction, now therefore be it

RESOLVED that in addition to those individuals previously authorized, Deputy Administrator Donald Marra and Clerk-Treasurer Lawrence Schopfer are hereby authorized to execute all necessary documents relating to the transaction.

Trustee Milano seconded the motion and it was unanimously approved.

Trustee Milano made a motion to adopted the following resolution:

WHEREAS, the Village Board adopted a resolution dated October 15, 2001 approving the agreement with the Irvington School District relating to the exchange of school district real estate for the Village's furnishing or procuring labor and materials associated with drainage and site work improvements at the Irvington Middle School and authorizing Mayor Dennis Flood and Administrator Stephen McCabe to execute all necessary documents relating to the transaction, now therefore be it

RESOLVED that in addition to those individuals previously authorized, Deputy Administrator Donald Marra and Clerk-Treasurer Lawrence Schopfer are hereby authorized to execute all necessary documents relating to the transaction.

Trustee Livingston seconded the motion and it was unanimously approved.

Trustee Beeney made a motion for the Board to adjourn to executive session to take up legal and personnel matters. The motion was seconded by Trustee Milano and unanimously approved.

Upon reconvening from executive session, Trustee Milano made a motion to make the following salary modifications:

A list of all full time and permanent part time staff salaries not including department heads to be increased by 2% effective June 1, 2002 will be inserted here.

Trustee Derby seconded the motion and it was unanimously approved.

There being no further business, the meeting was adjourned.

Lawrence S. Schopfer, Clerk-Treasurer

Attachments